

APPENDIX A.

Ohio Revised Code, Title 41.

§ 4112.01 Definitions.

As used in sections 4112.01 to 4112.08, inclusive, of the Revised Code:

(A) "Person" includes one or more individuals, partnerships, associations, organizations, corporations, legal representatives, trustees, trustees in bankruptcy, receivers, and other organized groups of persons. It also includes, but is not limited to, any owner, lessor, assignor, builder, manager, broker, salesman, agent, employee, lending institution; and the state, and all political sub-divisions, authorities, agencies, boards, and commissions thereof.

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(J) "Housing accommodations" includes any building or structure, or portion thereof which is used or occupied or is intended, arranged, or designed to be used or occupied as the home residence or sleeping place of one or more individuals, groups, or families whether or not living independently of each other; and any vacant land offered for sale or leased for commercial housing.

(K) "Commercial housing" means housing accommodations held or offered for sale or rent by a real estate broker, salesman, or agent, or by any other person pursuant to authorization of the owner, by the owner himself, or by legal representatives, but does not include any personal residence offered for sale or rent by the owner or by his broker, salesman, agent, or employee.

(L) "Personal residence" means a building or structure containing living quarters occupied or intended to be occupied by no more than two individuals, two groups, or two families living independently of each other and oc-

cupied by the owner thereof as a bona fide resident for himself and any members of his family forming his household. If a personal residence is vacated by the owner it shall continue to be considered owner-occupied until occupied by someone other than the owner or until sold by the owner, whichever occurs first.

(M) "Restrictive covenant" means any specification limiting the transfer, rental, lease, or other use of any housing because of race, color, religion, national origin, or ancestry, or any limitation based upon affiliation with or approval by any person, directly or indirectly, employing race, color, religion, national origin, or ancestry as a condition of affiliation or approval.

§ 4112.02 Unlawful discriminatory practices.

It shall be an unlawful discriminatory practice:

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(H) For any person to:

(1) Refuse to sell, transfer, assign, rent, lease, sublease, finance, or otherwise deny or withhold commercial housing from any person because of the race, color, religion, ancestry, or national origin of any prospective owner, occupant, or user of such commercial housing;

(2) Represent to any person that commercial housing is not available for inspection when in fact it is so available;

(3) Refuse to lend money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of commercial housing or a *personal residence** from any person because of the race, color, religion, ancestry, or national origin of any present or prospective owner, occupant, or user of such

* Italics added.

commercial housing, provided such person, whether an individual, corporation, or association of any type, lends money as one of the principal aspects of his business or incidental to his principal business and not only as a part of the purchase price of an owner-occupied residence he is selling not merely casually or occasionally to a relative or friend;

(4) Discriminate against any person in the terms or conditions of selling, transferring, assigning, renting, leasing, or sub-leasing any commercial housing or in furnishing facilities, services, or privileges in connection with the ownership, occupancy, or use of any commercial housing because of the race, color, religion, ancestry, or national origin of any present or prospective owner, occupant, or user of such commercial housing;

(5) Discriminate against any person in the terms or conditions of any loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of commercial housing or a *personal residence* because of the race, color, religion, ancestry, or national origin of any present or prospective owner, occupant, or user of such commercial housing or personal residence;

(6) Print, publish, or circulate any statement or advertisement relating to the sale, transfer, assignment, rental, lease, sub-lease, or acquisition of any commercial housing or *personal residence* or the loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of commercial housing or a *personal residence* which indicates any preference, limitation, specification, or discrimination based upon race, color, religion, ancestry, or national origin;

(7) Make any inquiry, elicit any information, make or keep any record, or use any form of application containing questions or entries concerning race, color, religion, ancestry, or national origin in connection with the sale or lease of any commercial housing or the loan of any money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair or maintenance of commercial housing or a *personal residence*;

(8) Include in any transfer, rental, or lease of commercial housing or a *personal residence* any restrictive covenant, or honor or exercise, or attempt to honor or exercise, any such restrictive covenant, provided that the prior inclusion of a restrictive covenant in the chain of title shall not be deemed a violation of this provision;

(9) Induce or solicit or attempt to induce or solicit a commercial housing or *personal residence* listing, sale, or transaction by representing that a change has occurred or may occur with respect to the racial, religious, or ethnic composition of the block, neighborhood, or area in which the property is located, or induce or solicit or attempt to induce or solicit such sale or listing by representing that the presence or anticipated presence of persons of any race, color, religion, ancestry, or national origin, in the area will or may have results such as the following:

(a) The lowering of property values;

(b) A change in the racial, religious, or ethnic composition of the block, neighborhood or area in which the property is located;

(c) An increase in criminal or antisocial behavior in the area;

(d) A decline in the quality of the schools serving the area.

No person shall discourage or attempt to discourage the purchase by a prospective purchaser of a commercial housing or a personal residence by representing that any block, neighborhood, or area has or might undergo a change with respect to the religious, racial, or nationality composition of the block, neighborhood, or area.

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§ 4112.04 Powers and duties of the commission.

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(6) Receive, investigate, and pass upon written charges made under oath of practices prohibited by Section 4112.02 of the Revised Code;

APPENDIX B.

Affidavit of Complaint.

STATE OF OHIO,
SUMMIT COUNTY, SS:

On Saturday, January 9, 1965, Mrs. Dorothy Marting, of Marting Realty, Inc., came to my home at 1433 Orlando Avenue, Akron, Ohio, to keep a prearranged appointment.

After Mrs. Marting and I got into her car, she stated that she could not show me any of the houses on the list she had prepared for me because all of the owners had specified they did not wish their houses shown to negroes. Mrs. Marting declined to show me any of the houses.

I told her that I wanted to see houses in the Litchfield-Firestone School district. Mrs. Marting mentioned a house on Cliffside, and said she would try to get the key. Later the same day, Mrs. Marting telephoned and said she could

not get the key. She offered to show me houses in the Buchtel High School district. I declined her offer. I have not heard from Mrs. Marting since that day.

I believe I have been discriminated against because of my race, color and ancestry which is a violation of City of Akron Ordinance No. 873-1964 as amended by Ordinance No. 926-1964.

NELLIE HUNTER.

(Jurat omitted.)